

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Kathy Reaves, a/k/a Kathy Juanita)  
Reaves, #50632, )

Case No.: 3:24-6341-JD-TER

Plaintiff, )

vs. )

ORDER AND OPINION

Richland SD 2, )  
Richland SD 2 Board of Education, )  
Kimberly "Kim" D. Moore, )  
Franklin Foster, Tiffoney Alford, )  
Alison Tabor, Mandy McCarter, )

Defendants. )


This matter is before the Court on the Report and Recommendation ("Report") of United States Magistrate Judge Thomas E. Rogers, III, issued on December 30, 2024 (DE 11), recommending dismissal of this action without prejudice due to Plaintiff Kathy Reaves, a/k/a Kathy Juanita Reaves, #50632's ("Plaintiff") failure to comply with the Court's prior order. Specifically, Plaintiff failed to provide completed summons forms, Form USM-285s, and Local Civil Rule 26.01 interrogatories, as required by the Court's November 20, 2024, order (DE 6). The record shows that the order was mailed to Plaintiff and was not returned, creating the presumption that Plaintiff received the order but failed to comply.

The Court possesses inherent authority, as well as authority under Rule 41(b) of the Federal Rules of Civil Procedure, to dismiss an action for failure to prosecute or failure to comply with a court order. *See Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962); *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989).

Plaintiff was advised of her right to file objections to the Report (DE 11), but no objections were filed within the time allowed. In the absence of specific objections, the Court has reviewed the Report for clear error and finds none. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Accordingly, the Court hereby **ADOPTS** the Report and Recommendation (DE 11) in full. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and failure to comply with a court order.

**IT IS SO ORDERED.**

  
Joseph Dawson, III  
United States District Judge

Florence, South Carolina  
June 2, 2025

#### **NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this order within thirty (30) days from this date under Rules 3 and 4 of the Federal Rules of Appellate Procedure.